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Date: May 11, 2001

Docket No.: 0425-0838P

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

This is a Request for filing a ☐ continuation ☒ divisional  
☐ continuation-in-part application under 37 C.F.R. § 1.53(b) of  
pending prior Application No. 09/509,778 filed on March 31, 2000,  
the entire contents of which are hereby incorporated by  
reference,  
by

Kohshi UENO; Atsushi SASAKI; Koki KAWANO; Tadashi OKABE; Noritaka  
KITAZAWA; Keiko TAKAHASHI; Noboru YAMAMOTO; Yuichi SUZUKI; Manabu  
MATSUNAGA; Atsuhiko KUBOTA

for

CONDENSED PYRIDINE COMPOUND

1. ☒ Enclosed is an application consisting of specification,  
claims, declaration and drawings/photographs (if  
applicable).
2. ☒ The filing fee has been calculated as follows:

			LARGE ENTITY	SMALL ENTITY
BASIC FEE			\$710.00	\$355.00
	NUMBER FILED	NUMBER EXTRA	RATE FEE	RATE FEE
TOTAL CLAIMS	12-20 =	0	x 18 = \$0.00	x 9 = \$0.00
INDEPENDENT CLAIMS	2-3 =	0	x 80 = \$0.00	x 40 = \$0.00
<input checked="" type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED			+ \$270.00	+ \$135.00
TOTAL			\$980.00	\$0.00

3. ☒ A check in the amount of \$980.00 to cover the filing fee and recording fee (if applicable) is enclosed.
4. ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this request is enclosed.
5. Amend the specification by inserting before the first line thereof the following:
- a. ☐ --This application is a ☐ continuation ☐ divisional ☐ continuation-in-part of co-pending Application No. 09/509,778, filed on March 31, 2000, the entire contents of which are hereby incorporated by reference and for which priority is claimed under 35 U.S.C. § 120; and this application claims priority of Application No. filed in on under 35 U.S.C. § 119.--
- b. ☐ --This application is a divisional of co-pending Application No. 09/509,778, filed on March 31, 2000 and for which priority is claimed under 35 U.S.C. § 120. Application No. 09/509,778 is the national phase of PCT International Application No. PCT/JP98/04465 filed on October 2, 1998 under 35 U.S.C. § 371. The entire contents of each of the above-identified applications are hereby incorporated by reference. This application also claims priority of Application No. 9-284290 filed in Japan on October 2, 1997 under 35 U.S.C. § 119.--


6. ☐ Enclosed is/are \_\_\_\_\_ (\_\_\_\_) sheet(s) of formal drawings and/or photographs.
- 7a. ☐ A statement claiming small entity status was filed in prior Application No. 09/509,778 on \_\_\_\_\_. See the attached copy of the statement claiming small entity status.
- 7b. ☐ The current application qualifies for small entity status.
8. ☒ The prior application is assigned to Eisai Co., Ltd..
9. ☐ A Preliminary Amendment is enclosed.
- 10a. ☐ Priority of Application No(s). \_\_\_\_\_ filed in \_\_\_\_\_ on \_\_\_\_\_ is/are claimed under 35 U.S.C. § 119. See attached copy of the Letter claiming priority filed in the prior application on \_\_\_\_\_.
- 10b. ☒ Priority of International Appln. PCT/JP98/04465 filed on October 2, 1998 under the Patent Cooperation Treaty and Japanese Application No. 9-284290 filed in Japan on October 2, 1997 under 35 U.S.C. § 119 are hereby reclaimed.
11. ☒ An Information Disclosure Statement and PTO-1449 form(s) are attached hereto for the Examiner's consideration.
12. ☒ Address all future communications to:  
  
BIRCH, STEWART, KOLASCH & BIRCH, LLP  
P.O. Box 747  
Falls Church, VA 22040-0747  
Telephone: (703) 205-8000  
  
or  
Customer No. 2292
13. ☐ An extension of time for \_\_\_\_\_ ( ) month(s) until \_\_\_\_\_ has been submitted in parent Application No. 09/509,778 in order to establish co-pendency with the present application.
14. ☐ Also enclosed herewith is the following:  
  
\_\_\_\_\_  
  
\_\_\_\_\_  
  
\_\_\_\_\_

095230-03104

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By  28,781  
for Raymond C. Stewart, #21,066

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RCS/RG/clb  
0425-0838P

Attachments

(Rev. 01/23/01)

0425-0838P-01101